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| EXAMINER |
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KARIMI, PEGEMAN

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| ART UNIT | PAPER NUMBER |
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2629

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01/14/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/522,747

Applicant(s)

FURUHASHI ET AL.

Examiner

PEGEMAN KARIMI

Art Unit

2629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2 and 5 is/are allowed.
- 6) ☒ Claim(s) 1, 3, 4, 6-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. The amendment filed on 11/13/2008 has been entered and considered by the examiner.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Sato (U.S. Patent No. 5,453,758).

As to claim 1, Sato teaches a pointing device (10) equipped with means for detecting angular velocities (1y and 1x, Fig. 7) in horizontal and vertical directions (col. 5, lines 45-49) and

means (8) for transmitting detected angular velocity information (col. 4, lines 13-16) and

an image display device (24) having means (21, Fig. 5) for receiving angular velocity information (movement of the pointing device) transmitted from the pointing device (10), (col. 4, lines 29-32) and equipped with a function of moving a selection marker (Cursor K, col. 4, lines 45-47) across a plurality of menu items (menu of TV, CD, and VTR, Fig. 6) arranged in vertical and horizontal directions (menu items of Fig. 6 are arranged in a vertical and horizontal direction) and

displayed on a screen in accordance with the received angular velocity information (col. 4, lines 42-47),

the display apparatus (24) for presentation characterized by provision of means (7) for determining a menu item (col. 4, lines 48-53) to which the selection marker (cursor K) should be moved (determining the menu item of playback) in accordance with the duration of sampling the angular velocities (Fig. 2) during which the move distance (up or down) of the pointing device (1) obtained for every sampling cycle from said angular velocity information exceeds a predetermined value continuously (when the pointing device 1 exceeds a predetermined value of V_c continuously in the third sampling cycle, which is located between V_c and V_d , the cursor is moved in a direction)

wherein the selection marker (K) moves directly to a menu item (moving the cursor to a location equivalent to a playback button by moving the pointing device 10) when the number of cycles of sampling the angular velocities during which the move distance of the pointing device obtained for every sampling cycle (the move distance of the pointing device obtained at the sampling cycle of between V_c and V_d for the sampling the angular velocity causes the cursor to move up and the move distance of the pointing device obtained at the sampling cycle of between V_a and V_b for the sampling angular velocity causes the cursor to move down) from said angular velocity information (the angular velocity, ω , fig. 2) exceeds a predetermined value continuously (when the value of V_c is exceeded the movement of the cursor is always upward and when the value of V_b is exceeded the movement of the cursor is always downward).

As to claim 6, this claim differs from claim 1, only in that the limitation “equipped with a function of moving a cursor or pointer displayed on a screen” and “means for moving the cursor or pointer by a distance” are additionally recited.

Sato teaches an image display device equipped with a function (Fig. 3) of moving a cursor or pointer (10) displayed on a screen (col. 4, lines 45-47) and means (1x and 1y) for moving the cursor or pointer (moving the cursor in a certain direction of horizontal or vertical), (col. 5, lines 45-49).

wherein the distance over an interval of time increases (As can be seen in Fig. 2 and Fig. 3, the cursor is moved in a certain direction when the angular velocity exceeds a threshold of V_c), (col. 13, lines 3-6) while the number of cycles of sampling the angular velocities during which the move distance of the pointing device obtained for every sampling cycle from said angular velocity information exceeds a predetermined value continuously (as can be seen in Fig. 2, when the angular velocity exceeds the value of V_c the output command is a movement in a certain direction and when the angular velocity exceeds the value of V_b the output command is a movement in another direction).

4. Claims 8-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Hashimoto (U.S. Patent No. 5,554,980).

As to claim 8, Hashimoto teaches a display system comprising:
a display device (100) and

a pointing device (1) associated with the display device (pointing device 1 controls a cursor, 108, which chooses the icons on the display device) and for use to operate upon an object (108) to change displayed on a display screen by said display device (upon selection of VTR in the menu 220 of Fig. 7, the color of the cursor changes and the VTR mode menu screen 223 appears).

the display system characterized by including:

a position information detecting means (2 and 3) for detecting position information on positions indicated by said pointing device (col. 14, lines 15-18);

a move information sampling means (67, 68, and 68a) for sampling the move distance between said indicated positions (e.g. positions before and after the position Y1) per unit time (from the start to time t_1 cursor moves to position Y1, from position t_1 to (t_1+t_2) the cursor does not move, and then from (t_1+t_2) to time t the cursor moves), (col. 29, lines 2-7), based on the position information detected by the position information detecting means (as can be seen in Fig. 45A, the output of the angular speed depends on detectors 2 and 3), (col. 29, lines 10-14); and

a change amount determining means (67, 68, and 68a, the distance through which the cursor 108 moves when the delay time t of the delay circuit 67 is equal to t_1+t_2) for determining the amount of change of said object to change on said display screen (col. 28, lines 65-67), based on the duration of sampling (from start to t_1 , from t_1 to (t_1+t_2) , and then from (t_1+t_2) to t) during which the move distance between said indicated positions per unit time (from start to t_1 the cursor moves to position Y1, from time t_1 to (t_1+t_2) the cursor does not move, and then from time (t_1+t_2) to t the cursor

Art Unit: 2629

moves once again), sampled by the move information sampling means (67, 68, and 68a), (col. 28, lines 60-67, & col. 29, lines 2-6), exceeds a threshold continuously (the cursor moves up to Y1 from the start to time t1 but when it exceeds t1 it does not move from t1 to t2, then the cursor moves once again when the angular velocity exceeds t1+t2).

wherein the amount of change of the object over an interval of time increases (changing/increasing the Y direction of the object from the position zero to Y1 in the time interval of t1) while the number of cycles (3 cycles), (from time zero to t1, from t1 to (t1+t2), and from (t1+t2) to t) of sampling the angular velocities (the angular speed detectors detect the speed of angular motion in the horizontal and vertical directions) during which the move distance of the pointing device (e.g. move to Y1, Fig. 45B) obtained for every sampling cycle (from time zero to t1, from t1 to (t1+t2), and from (t1+t2) to t) from said angular velocity information exceeds a predetermined value continuously (the cursor moves up to Y1 from the start to time t1, this is due to the movement of the pointing device exceeding a value of "a", Fig. 42a, the position does not move from t1 to t2 because the value of "a" is exceeded and the output is a stationary position, then the cursor moves once again when the angular velocity detects a value of "a" being exceeded).

As to claim 9, Hashimoto teaches a pointing device (1) associated with a display device (pointing device 1 controls a cursor, 108, which chooses the icons on the display device) and for use to operate upon an object (108) to change displayed on a display

screen by the display device (upon selection of VTR in the menu 220 of Fig. 7, the color of the cursor changes and the VTR mode menu screen 223 appears),

the pointing device (1) characterized by including a position information detecting means (2 and 3) for detecting position information on positions indicated by the pointing device (col. 14, lines 15-25), wherein, based on the position information (position information from elements 2 and 3), the position information detecting means samples the move distance between said indicated positions (e.g. positions before and after the position Y1) per unit time (from the start to time t1 cursor moves to position Y1, from position t1 to (t1+t2) the cursor does not move, and then from (t1+t2) to time t the cursor moves), (col. 29, lines 2-7) and

determines the amount of change of said object to change on said display screen (the cursor 108 moves when the delay time t of the delay circuit 67 is equal to t1+t2), (col. 23, lines 44-48),

based on the duration of sampling (from start to t1, from t1 to (t1+t2), and then from (t1+t2) to t) during which the sampled move distance between said indicated positions per unit time exceeds a threshold continuously (the cursor moves up to Y1 from the start to time t1, this due to the movement of the pointing device exceeding a value of "a", Fig. 42a, the position does not move from t1 to t2 because the value of "a" is exceeded and the output is a stationary position, then the cursor moves once again when the angular velocity detects a value of "a" being exceeded),

wherein the amount of change of the object over an interval of time increases (changing/increasing the Y direction of the object from the position zero to Y1 in the

Art Unit: 2629

time interval of t_1 , and at the position of Y1 and timing t_1+t_2 the distance increases over an interval of time t , Fig. 45B) while the number of cycles (3 cycles), (from time zero to t_1 , from t_1 to (t_1+t_2) , and from (t_1+t_2) to t) of sampling the angular velocities (the angular speed detectors detect the speed of angular motion in the horizontal and vertical directions) during which the move distance of the pointing device (e.g. move to Y1, Fig. 45B) obtained for every sampling cycle (from time zero to t_1 , from t_1 to (t_1+t_2) , and from (t_1+t_2) to t) from said angular velocity information exceeds a predetermined value continuously (the cursor moves up to Y1 from the start to time t_1 , this due to the movement of the pointing device exceeding a value of "a", Fig. 42a, the position does not move from t_1 to t_2 because the value of "a" is exceeded and the output is a stationary position, then the cursor moves once again when the angular velocity detects a value of "a" being exceeded),

As to claim 10, Hashimoto teaches a display device (100) associated with a pointing device (pointing device, 1, controls a cursor, 108, which chooses the icons on the display device) for use to operate upon an object (108) to change on a display screen (upon selection of VTR in the menu 220 of Fig. 7, the color of the cursor changes and the VTR mode menu screen 223 appears),

the display device characterized by including:

a change amount determining means (67, 68, and 68a), wherein, based on position information (information from elements 2 and 3) on positions indicated by said pointing device (positions in horizontal and vertical directions), the change amount

Art Unit: 2629

determining means samples the move distance between said indicated positions (position before and after Y1) per unit time (from start to t_1 , from t_1 to (t_1+t_2) , and then from (t_1+t_2) to t) and

determines the amount of change of said object to change on said display screen (the cursor 108 moves when the delay time t of the delay circuit 67 is equal to t_1+t_2), based on the duration of sampling (from start to t_1 , from t_1 to (t_1+t_2) , and then from (t_1+t_2) to t) during which the sampled move distance between said indicated positions per unit time exceeds a threshold continuously (the cursor moves up to Y1 from the start to time t_1 , this due to the movement of the pointing device exceeding a value of "a", Fig. 42a, the position does not move from t_1 to t_2 because the value of "a" is exceeded and the output is a stationary position, then the cursor moves once again when the angular velocity detects a value of "a" being exceeded),

wherein the amount of change of the object over an interval of time continuously increases (changing/increasing the Y direction of the object from the position zero to Y1 in the time interval of t_1 , and the distance increases from position Y1 at timing t_1+t_2 based on the timing t) while the number of cycles (3 cycles), (from time zero to t_1 , from t_1 to (t_1+t_2) , and from (t_1+t_2) to t) of sampling during which the sampled move distance (e.g. move to Y1, Fig. 45B) between said indicated positions per unit time exceeds a threshold continuously (the cursor moves up to Y1 from the start to time t_1 , this due to the movement of the pointing device exceeding a value of "a", Fig. 42a, the position does not move from t_1 to t_2 because the value of "a" is exceeded and the output is a

stationary position, then the cursor moves once again when the angular velocity detects a value of “a” being exceeded).

As to claim 11, this claim differs from claim 8 only in that the limitation “an angular velocity detecting means for detecting angular velocity information on positions indicated by said pointing device” and “a move information sampling means for sampling the move distance between said indicated positions per unit time, based on the angular velocity information detected by the angular velocity detecting means” is additionally recited.

Hashimoto teaches an angular velocity detecting means (2 and 3), for detecting angular velocity information on positions indicated by said pointing device (col. 14, lines 15-25) and a move information sampling means (67, 68 , and 68a) for sampling the move distance between said indicated positions (e.g. positions before and after the position Y1) per unit time (from the start to time t1, from time t1 to time (t1+t2), and then from time (t1+t2) to time t), (col. 9, lines 2-7), based on the angular velocity information detected by the angular velocity detecting means (col. 29, lines 10-14), (the angular speed detectors detect the speed of angular motion in the horizontal and vertical directions).

wherein the amount of change of the object over an interval of time increases (changing/increasing the Y direction of the object from the position zero to Y1 in the time interval of t1, and the amount of movement from Y1 at timing t1+t2 increases based on time t, Fig. 45B) while the number of cycles (3 cycles), (from time zero to t1,

Art Unit: 2629

from t_1 to (t_1+t_2) , and from (t_1+t_2) to t) of sampling during which the sampled move distance (e.g. move to Y1, Fig. 45B) between said indicated positions per unit time exceeds a threshold continuously (the cursor moves up to Y1 from the start to time t_1 , this is due to the movement of the pointing device exceeding a value of "a", Fig. 42a, the position does not move from t_1 to t_2 because the value of "a" is exceeded and the output is a stationary position, then the cursor moves once again when the angular velocity detects a value of "a" being exceeded).

As to claim 12, Hashimoto teaches a display system comprising:

a display device (100) and

a pointing device (1) associated with the display device (pointing device 1 controls a cursor, 108, which chooses the icons on the display device) and for use to move a pointer position pointing on a display screen displayed by said display device (col. 21, lines 62-65), the display system characterized by including:

a position information detecting means (2 and 3) for detecting position information on positions indicated by said pointing device (col. 14, lines 15-18);

a move information sampling means (67, 68, and 68a) for sampling the move distance between said indicated positions (e.g. positions before and after the position Y1) per unit time (from the start to time t_1 cursor moves to position Y1, from position t_1 to (t_1+t_2) the cursor does not move, and then from (t_1+t_2) to time t the cursor moves), (col. 29, lines 2-7), based on the position information detected by the position

information detecting means (as can be seen in Fig. 45A, the output of the angular speed depends on detectors 2 and 3), (col. 29, lines 10-14); and

a move distance determining means (67, 68, and 68a), (the distance through which the cursor 108 moves when the delay time t of the delay circuit 67 is equal to t_1+t_2) for determining a distance by which said pointer position should be moved (from start to t_1 the cursor moves to position Y1, from time t_1 to (t_1+t_2) the cursor does not move, and then from time (t_1+t_2) to t the cursor moves once again), based on the duration of sampling (from start to t_1 , from t_1 to (t_1+t_2) , and from (t_1+t_2) to t) during which the move distance between said indicated positions per unit of time, sampled by the move information sampling means, exceeds a threshold continuously (the cursor moves up to Y1 from the start to time t_1 , this due to the movement of the pointing device exceeding a value of "a", Fig. 42a, the position does not move from t_1 to t_2 because the value of "a" is exceeded and the output is a stationary position, then the cursor moves once again when the angular velocity detects a value of "a" being exceeded),

wherein the distance over an interval of time increases (changing/increasing the Y direction of the object from the position zero to Y1 in the time interval of t_1 , also from position Y1 at timing t_1+t_2 the movement distance increases based on time t) while the number of cycles (3 cycles), (from time zero to t_1 , from t_1 to (t_1+t_2) , and from (t_1+t_2) to t) of sampling during which the sampled move distance (e.g. move to Y1, Fig. 45B) between said indicated positions per unit time exceeds a threshold continuously (the cursor moves up to Y1 from the start to time t_1 , this due to the movement of the pointing

device exceeding a value of "a", Fig. 42a, the position does not move from t1 to t2 because the value of "a" is exceeded and the output is a stationary position, then the cursor moves once again when the angular velocity detects a value of "a" being exceeded).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto in view of Gillick (U.S. Patent No. 5,530,455).

As to claim 3, Hashimoto teaches a display apparatus for presentation (Fig. 4) comprising:

a pointing device (1) equipped with means for detecting angular velocities (2 and 3) in horizontal and vertical directions (col. 14, lines 5-8) and

means for transmitting (12) detected angular velocity information (col. 15, lines 17-24) and

an image display device (21) having means (26 and 132, Fig. 3) for receiving angular velocity information (movement of the pointing device) transmitted from the pointing device (1), (col. 15, lines 45-50).

in accordance with the number of cycles of sampling the angular velocities (sampling from the origin to time t_1 and from t_1 to t_1+t_2 then from t_1+t_2 to t) during which the move distance of the pointing device obtained for every sampling cycle from said angular velocity information exceeds a predetermined value continuously (the cursor moves up to Y_1 from the start to time t_1 , this due to the movement of the pointing device exceeding a value of "a", Fig. 42a, the position does not move from t_1 to t_2 because the value of "a" is exceeded and the output is a stationary position, then the cursor moves once again when the angular velocity detects a value of "a" being exceeded),

the number of cycles of sampling the angular velocities during which the move distance of the pointing device obtained for every sampling cycle from said angular velocity information exceeds a predetermined value continuously, (the cursor moves up to Y_1 from the start to time t_1 , this due to the movement of the pointing device exceeding a value of "a", Fig. 42a, the position does not move from t_1 to t_2 because the value of "a" is exceeded and the output is a stationary position, then the cursor moves once again when the angular velocity detects a value of "a" being exceeded).

Hashimoto does not mention moving an image displayed on a screen in accordance with the received angular velocity information.

Gillick teaches the panning distance over an interval of time increases (scrolling occurs with ordinary counts from the shaft angle encoder, the rolling/scrolling continues at a constant rate until a terminating event occurs. The function of up arrow of a keyboard can be implemented by the scroll mouse for the function of moving up an

image displayed on a screen in accordance with the received angular velocity information).

image display device (Fig. 7) equipped with a panning function of moving an image displayed on a screen (moving the image one line for each scroll message, col. 5, lines 34-36 and col. 6, lines 1-2) in accordance with the received angular velocity information (col. 6, lines 3-7) and means (24) for panning by a distance (the image will scroll/move one line for each scroll message).

Therefore it would have been obvious to one of ordinary skilled in the art at the time the invention was made to have added the panning function of Gillick to the display apparatus and pointing device of Hashimoto because turning the roller in conjunction with driver software, generates scroll signals to windows which mimics the action of the user clocking in the scroll controls, but without requiring the cursor to be moved to the scroll controls (col. 2, lines 31-34).

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hashimoto in view of Okamoto (U.S. Patent No. 5,502,461).

As to claim 4, Hashimoto teaches a display apparatus for presentation comprising a pointing device (1) equipped with means for detecting angular velocities in horizontal and vertical directions (2 and 3, col. 14, lines 5-8) and means (12) for transmitting detected angular velocity information (col. 15, lines 17-24) and an image display device (21) having means (26 and 132, Fig. 3) for receiving angular velocity

information (movement of the pointing device) transmitted from the pointing device (1),
(col. 15, lines 45-50) and

in accordance with the received angular velocity information (movement of the
cursor, angular speed).

in accordance with the number of cycles (as can be seen in Fig. 45B there are 3
cycles wherein the movement of the cursor is defined) of sampling the angular velocities
(the movement of the pointing device 1 depends on the angular velocity detectors 2 and
3, which detect the speed of angular motion in the vertical and horizontal directions)
during which the move distance of the pointing device obtained for every sampling cycle
(movement from position 0, origin, to Y1 during the timing of t1) from said angular
velocity information exceeds a predetermined value continuously (the angular speed
detector 2 in fig. 42A outputs a forward motion when the movement exceeds the
predetermined value of a and outputs a backward motion when the movement exceeds
the predetermined value of $-a$), (note: the values of a and $-a$ can be assigned by the
user depending on the sensitivity requirements).

wherein the distance moving or enlarging the sub-screen over an interval of time
increases while the number of cycles of sampling the angular velocities (Fig. 45B)
during which the move distance of the pointing device obtained for every sampling cycle
from said angular velocity information exceeds a predetermined value continuously (the
move distance from the origin to Y1 is a forward movement toward a positive value of
Y1 and requires the user to exceed a value of " a " as can be seen in Fig. 42A in order to

have a continuous movement in the forward direction, the forward movement continues over an interval of time t_1 determined by the user).

Okamoto teaches image display equipped with a picture-in-picture function (Fig. 9) to move or enlarge a sub-screen displayed on a screen (enlarging the sub-screen 22, Fig. 10)

including moving or enlarging the sub-screen by a distance (enlarging the screen by for example a distance between point P and point P2 in Fig. 9),

The combination of Okamoto and Hashimoto teaches wherein the distance moving or enlarging the sub-screen over an interval of time increases while the number of cycles of sampling the angular velocities (Fig. 45B) during which the move distance of the pointing device obtained for every sampling cycle from said angular velocity information exceeds a predetermined value continuously (In order to enlarge the menu 22 in Fig. 9 the user requires to put down a pointing device on point P and then move diagonally downward to a point P2, therefore the reference of Hashimoto in Fig. 45B shows a movement in a time interval t_1 , wherein the movement is from point O, origin, to a point of Y1). Therefore it would have been obvious to one of ordinary skilled in the art at the time the invention was made to have added the enlarging the menu of Okamoto to the display apparatus and cursor movement of Hashimoto because the user can enlarge the menu by changing the cursor's position by a distance based on a time interval so that the user can easily adjust and control the menu size to his/her desired size.

8. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sato in view of Hashimoto.

As to claim 7, this claim differs from claim 6 only in that the limitation “means for changing the rate at which the pointer moves” is additionally recited. Hashimoto teaches means (2 and 3) for changing the rate at which the pointer moves (depending on the angular motion of the remote control at the angle θ_1 the cursor moves a distance of x_1 and at the angle θ_2 the cursor moves a distance of x_2 and so on), (col. 23, lines 44-50). Therefore it would have been obvious to one of ordinary skilled in the art at the time the invention was made to have added the changing the rate at which the pointer moves of Hashimoto to the display apparatus of Sato because to solve the problem of a positional discrepancy between the position on the screen at which the remote control unit is directed and the position of the cursor after movement. (col. 23, lines 34-39).

Allowable Subject Matter

9. Claims 2 and 5 are allowed.

Response to Arguments

10. Applicant's arguments with respect to claims 1, 3, 4, 6-12 have been considered but are moot in view of the new ground(s) of rejection.

The new references of Sato (U.S. Patent No. 5,453,758) and Okamoto (U.S. Patent No. 5,502,461) have been added to read better on the claims.

Applicant argues that Hashimoto merely discloses a selection switch to select an icon. The switch 9 of Hashimoto is designated for a selection switch to select an icon. Col. 15, lines 51-56 clearly mention when the cursor reaches a desired icon and the selection switch is pressed the icon is selected.

The limitation of "the number of cycles of sampling" should be defined in more details as shown in Fig. 7 because it does not specify if the number of cycles is a fix value or can change depending on time (as shown in Hashimoto) or a threshold (as shown in Sato). The reference of Sato teaches a number of cycles of sampling which are cycle regions between V_a and V_b , V_b and V_c , and between V_c and V_d . In Hashimoto the cycles are between 0 and t_1 , t_1 and t_1+t_2 , and between t_1+t_2 to t . since sampling can be translated as "a technique of selecting an appropriate sample" the cycles can be appropriate samples.

Applicant argues that the selection marker should be moved in accordance with the number of cycles. Fig. 45B of Hashimoto is an example of cycles. The cycles are between 0 and t_1 , t_1 and t_1+t_2 , and t_1+t_2 and t . The movement of the mouse depends on exceeding the value of "a" or "-a" as can be seen in Fig. 42a. Therefore depending on the values of "a" and "-a" the cycles of the movement (e.g. 0 to Y_1) is generated.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nilsson (U.S. Patent No. 7,216,116) teaches a scroll wheel having a call box indicator showing a value.

Becker (U.S Patent No. 6,392,675) teaches adjusting the motion of the mouse cursor outside and inside an icon.

Inquiry

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PEGEMAN KARIMI whose telephone number is (571)270-1712. The examiner can normally be reached on Monday-Thursday 8:00am - 5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chanh Nguyen can be reached on (571) 272-7772. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2629

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/Pegeman Karimi/
Examiner, Art Unit 2629
January 6, 2009

/Chanh Nguyen/
Supervisory Patent Examiner, Art
Unit 2629